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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,959	11/01/2001	Kjeld B. Egevang	42390P11637	6990
8791	7590	07/01/2004		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES, CA 90025			EXAMINER SCHULTZ, WILLIAM C	
			ART UNIT	PAPER NUMBER
			2664	3

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,959

Applicant(s)

EGEVANG, KJELD B.

Examiner

William C. Schultz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/24/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 3/24/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3,10-16,18-19,21, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Crow et al. [U.S. Pat. 6,453,357] with inherency evidence from Stevens, TCP/IP Illustrated Volume 1 The Protocols.

Regarding claims 1,11,15,18, Crow et al. discloses all the following subject matter: a method to manage packet fragmentation for address translation, comprising:
receiving a plurality of packet fragments for a packet having a first address; (**col. 5, lines 65-66; col. 6 ,lines 12-16**)

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translating said first address into a second address (**col. 6, lines 28-29; col. 6, lines 63-65; col. 5, lines 39-41; col. 7, lines 16-20**) without reassembling (**col. 6, lines 47-49**) said packet fragments into said packet; (**col. 6, lines 60-63**) and

sending said packet fragments using said second address. (**col. 6, lines 26-28**)

Regarding claims 2,16,19, Crow et al. further discloses said translating comprises:

identifying a packet fragment having a packet header (**col. 5, line 68 – col. 6, line 1**), with said packet header having a packet identifier (**col. 4, lines 2-3**), translation information (**col. 4, lines 9-10**) and a packet length; (**packet headers inherently contain a length field as evidenced as a technological fact by Stevens, book front binder page, ip header and pg149, lines 8-9**) determining whether all packet fragments for said packet have been received; (**col. 5, lines 45-48**) retrieving translation information from said packet header; and translating said first address into said second address using said translation information. (**col. 6, lines 14-16; col. 6, lines 20-25**)

Regarding claim 3, Crow et al. further discloses said translation information comprises a port number. (**col. 5, lines 2-4**)

Regarding claim 12, Crow et al. further discloses comprising a communication module for sending said packet fragments to said second address. (**col. 6, lines 25-27 – inherently the router has a communication module because it is sending the packets using something**)

Regarding claims 10,21, Crow et al. further discloses detecting an occurrence of a terminating condition prior to receiving all of said packet fragments for said packet;

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and releasing said packet fragments in accordance with said detection. **(col. 5, lines 29-34)**

Regarding claim 13, Crow et al. discloses all the following subject matter: A system to manage packet fragmentation for an address translation device, comprising: a source node to send packet fragments for a packet having a first address;**(fig. 1, part 24)** and an intermediate node to receive said packet fragments and translate said first address to a second address without reassembling said packet fragments into said packet **(fig. 1, part 16; col. 3, lines 30-33)**.

Regarding claim 14, Crow et al. further discloses a destination node having said second address to receive said packet fragments**(col. 3, lines 15-17 – discloses packets crossing the router as a boundary and it performing translation, the hosts are inherently receiving and transmitting data when communicating with a server on the internet like a web server)** and reassemble said packet fragments into said packet. **(inherently the packet fragments are reassembled by the final destination as evidenced as a technological fact by Stevens, page 148 sec. 11.5 line 7)**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-9,17,20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Crow et al. [U.S. Pat. 6,453,357] as applied to claims 1,15,18 above, and further in view of Stevens, TCP/IP Illustrated Volume 1 The Protocols.

Regarding claims 4-7,17,20, Crow et al. discloses all the above but fails to disclose determining whether all packet fragments for said packet have been received using said offset values.

Stevens discloses the adding the offset values of all the fragments to determine if all the bytes have been received. **(pg. 150 lines 9-16)**

It would have been obvious to modify Crow et al. with Stevens to determine that the total number of packets was received via adding the offset values because addition is a simple way to check for length.

Regarding claims 8,9, Stevens further discloses each offset value represents a position in bytes divided by eight for said packet fragment in said packet. **(pg. 150, lines 17-19)**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Schultz whose telephone number is 703-305-2367. The examiner can normally be reached on M-F(7-4)(first bi-week) M-Th(7-4)(second bi-week).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William Schultz



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